

REMARKS

Claims 1-11 are pending in this application, of which claims 1-3, 7 and 8 have been withdrawn from consideration. Claims 4 and 11 have been amended.

Allowable Claims

Applicant gratefully acknowledges that claims 9 and 10 have been allowed and that claim 6 was merely objected to as depending from a rejected base claim, but was indicated as being otherwise allowable.

Rejections under 35 USC 102(b)

Claims 4-5 and 11 were rejected under 35 USC 102(b) as being anticipated by Dennison (U.S. Patent No. 5,637,535).

The Examiner alleged that Dennison discloses a "ridge structure (23) made of insulating film material formed on an upper surface of the gate electrode (14), the ridge structure extending along side edges of the gate electrode."

However, the silicon nitride caps (23) in Dennison are formed on the whole upper surface of the gate electrode, but are not "**extending along a side edge of the gate electrode.**"

Thus, Dennison does not teach or suggest, among other things, "a ridge structure made of insulating material **formed on an upper surface of the second gate electrode**, said ridge structure extending along a side edge of the gate electrode," as recited in claims 4 and 11.

The Examiner apparently considered that the gate line 18 and the gate line 14 in Dennison's Fig. 1 correspond to the first field effect transistor and the second field effect transistor,

respectively. Further, the Examiner appears to think that the nitride cap 23 in Dennison's Fig. 11 corresponds to the ridge structure.

As shown in Dennison's Fig. 3, the mask opening 35 is formed over the gate line 18. As shown in Dennison's Fig. 4, the nitride cap 23 is etched on the gate line 18 through the mask opening 35 to form the opening 38. The opening 38 is allocated in an area of the substrate peripheral to an array containing gate lines 14 and 16 (column 4, lines 14-18). The opening 38 in Fig. 4 must be allocated over the field oxide layer 13. Namely, the opening 38 is not allocated on a gate electrode over an active region. Accordingly, the nitride cap 23 in Fig. 11 must remain on the gate electrode over the active region.

Thus, Dennison does not disclose the ridge structure that is not formed on an upper surface of the first gate electrode. Furthermore, the nitride cap 23 in Dennison does not extend along side edge of the gate electrode but extends along a center line of the gate electrode. The same argument can be applied to claim 11.

For at least these reasons, claims 4 and 11 patentably distinguish over Dennison. Claim 5, depending from claim 4, also patentably distinguishes over the cited reference for at least the same reasons.

In view of the aforementioned amendments and accompanying remarks, claims 4 and 11, as amended, are in condition for allowance, for which action, at an early date, is requested.

Serial No. 09/996,758
Amendment dated October 9, 2003
Reply to Office Action dated June 13, 2003

If for any reason, it is felt that this application is not now in condition for allowance, the Examiner is requested to contact Applicant's undersigned attorney, at the telephone number indicated below, to arrange for an interview to expedite the disposition of this case.

In the event this response is not timely filed, Applicant petitions for an appropriate extension of time. Please charge any fees for such an extension of time and any other fees which may be due with respect to this paper, to Deposit Account No. 50-2866.

Respectfully submitted,

WESTERMAN, HATTORI, DANIELS & ADRIAN, LLP



Sadao Kinashi
Attorney for Applicant(s)
Reg. No. 48,075

SK/fs
Atty. Docket No. **011318**
Suite 700, 1250 Connecticut Ave.
N.W., Washington, D.C. 20006
(202) 822-1100

38834
PATENT TRADEMARK OFFICE

Q:\2001\011318\011318 AMENDMENT 101303.DOC